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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,725	03/22/2004	Ronald Craig Woodley	2003P11608 US01	9240

7590 03/27/2008

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EXAMINER	
LE, DEBBIE M	

ART UNIT	PAPER NUMBER
2168	

MAIL DATE	DELIVERY MODE
03/27/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/805,725	WOODLEY, RONALD CRAIG	
	Examiner	Art Unit	
	DEBBIE M. LE	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/18/08 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

a. Claims 1, 3, 5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin et al (US Patent No. 7,010,779 B2) in view of Cahill (US Patent 6,779,151 B2).

As per claim 1, Rubin discloses [a] system for generating an executable procedure, comprising:

a repository (Fig. 1, # 110, 112) **including spreadsheet representative data, said spreadsheet representative data including stored data elements comprising**

individual data items determining characteristics of an executable procedure (Fig. 2, spreadsheet includes data structure of cells)**;**

an executable application for parsing and processing said spreadsheet representative data to provide an executable procedure with characteristics determined by said individual data items to provide processed data for output (col. 4, lines 40-43, 55-58, col. 11, lines 50-67, KDParser is a software that extracts data from a body of spreadsheet data and a Source Code generator that generated representative source code to be executed on any platform and write it to a OutputLocation)**;**

a command processor for initiating execution of said executable procedure in response to user command (Figs. 16 and 18, col. 2, lines 28-32, 44-45, col. 1, line 18, run-time execution).

Rubin does not explicitly teach, **but Cahill** teaches implementing a function exclusive of a function implemented by said spreadsheet (col. 5, lines 28-50, col. 6, lines 24-30, object such as C++, Java embedded in a cell of a spreadsheet, and a parser component examines the content of each cell in the spreadsheet and the parser component compares the CREATOBJECT FUNCTION). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the step of implementing a function exclusive of a function implemented by said spreadsheet as disclosed by Cahill because it provides users of Rubin's system directly call functions from object that are

installed on a local or remote machine (i.e., automation object residing outside of the spreadsheet), as suggested by Cahill (col. 1, lines 22-26, 35-48).

As per claim 3, Rubin further teaches wherein said executable procedure characteristics determined by said data elements comprise at least one of, (a) programming language structural features, (b) structure of sub-procedures in said executable procedure and (c) a process performed by a sub-procedure in said executable procedure (Fig. 4c, col. 4-5, lines 67 through 4).

As per claim 7, Rubin teaches wherein said executable application is a Script for generating programming language code comprising code in at least one of, (a) C++, (b) Java, (c) HTML, (d) XML and (e) SGML (col. 3, lines 20-21, col. 5, lines 23-25).

b. Claims 2, 4-6, 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin et al (US Patent No. 7,010,779 B2) in view of Cahill (US Patent 6,779,151 B2) and further in view of Sheffield (US Patent 5,832,481).

As per claim 2, Rubin and Cahill do not explicitly teach, (**but Sheffield discloses)** wherein said executable procedure processes data in a database using said data elements to provide updated data for storage in said database (col. 3, lines 25-35, col. 25, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the steps of providing an executable procedure processes data in a database using said data elements to provide updated data for storage in said database

as disclosed by Sheffield because it would provide users (i.e., developers) of Rubin's and Cahill's system the flexibility not to limit only using SQL statements to manipulate data in a database, but it's also provide users of Rubin's system to use different methods to update data in the database based on their widely variant levels of database expertise execute sophisticated database queries.

As per claim 4, Rubin further teaches predetermined computation formula (Fig. 2). Rubin and Cahill do not explicitly teach, **(but Sheffield discloses)** wherein said executable application processes said spreadsheet representative data to provide an executable procedure for updating a data item in a database using one of said data elements to replace a prior corresponding data element of a predetermined computation formula (col. 3, lines 25-35, col. 25, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the steps of providing an executable procedure processes data in a database using said data elements to provide updated data for storage in said database as disclosed by Sheffield because it would provide users (i.e., developers) of Rubin's system and Cahill's system the flexibility not to limit only using SQL statements to manipulate data in a database, but it's also provide users of Rubin's system to use different methods to update data in the database based on their widely variant levels of database expertise execute sophisticated database queries.

As per claim 5, Rubin and Cahill do not explicitly teach, **(but Sheffield discloses)** said prior corresponding data element of said predetermined computation formula comprises at least one of, (a) a factor used as a multiplier in said computation

formula, (b) a constant in said computation formula, (c) a threshold value identifying whether said computation formula applies, (d) a threshold value identifying whether a portion of said computation formula applies (col. 3, lines 25-35, col. 25, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the steps of providing an executable procedure processes data in a database using said data elements to provide updated data for storage in said database as disclosed by Sheffield because it would provide users (i.e., developers) of Rubin's system and Cahill's system the flexibility not to limit only using SQL statements to manipulate data in a database, but it's also provide users of Rubin's system and Cahill's system to use different methods to update data in the database based on their widely variant levels of database expertise execute sophisticated database queries.

As per claim 6, Rubin and Cahill do not explicitly teach, **(but Sheffield discloses)** said executable application processes said spreadsheet representative data to provide an executable procedure by updating a data item in said database by replacing said data item with one of said data elements (col. 3, lines 25-35, col. 25, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the steps of providing an executable procedure processes data in a database using said data elements to provide updated data for storage in said database as disclosed by Sheffield because it would provide users (i.e., developers) of Rubin's system the flexibility not to limit only using SQL statements to manipulate data in a database, but

it's also provide users of Rubin's system and Cahill's system to use different methods to update data in the database based on their widely variant levels of database expertise execute sophisticated database queries.

As per claim 8, Rubin discloses [a] system for updating data items in a database, comprising:

a repository (Fig. 1, # 110, 112) **including spreadsheet representative data, said spreadsheet representative data including stored data elements comprising individual data items determining characteristics of an executable procedure** (Fig. 2, spreadsheet includes data structure of cells)**;**

an executable application for parsing and processing said spreadsheet representative data to provide an executable procedure for use in processing data using said individual data items to provide processed data for output (col. 4, lines 40-43, 55-58, col. 11, lines 50-67, KDParser is a software that extracts data from a body of spreadsheet data and a Source Code generator that generated representative source code to be executed on any platform and write it to a OutputLocation)**;**

a command processor for initiating execution of said executable procedure in response to user command (Figs. 16 and 18, col. 2, lines 28-32, 44-45, col. 1, line 18, run-time execution).

Rubin does not explicitly teach, **but Cahill** teaches implementing a computation formula exclusive of a computation formula implemented by said spreadsheet (col. 5, lines 28-50, col. 6, lines 24-30, object such as C++, Java embedded in a cell of a spreadsheet, and a parser component examines the content of each cell in the

spreadsheet and the parser component compares the CREATOBJECT FUNCTION). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the step of implementing a function exclusive of a function implemented by said spreadsheet as disclosed by Cahill because it provides users of Rubin's system directly call functions from object that are installed on a local or remote machine (i.e., automation object residing outside of the spreadsheet), as suggested by Cahill (col. 1, lines 22-26, 35-48).

Rubin and **Cahill** do not explicitly teach, **(but Sheffield discloses)** an executable procedure for updating a data item in a database using one of said individual data items to replace a prior corresponding individual data item provide an updated computation formula (col. 3, lines 25-35, col. 25, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of the cited references to implement the steps of providing an executable procedure processes data in a database using said data elements to provide updated data for storage in said database as disclosed by Sheffield because it would provide users (i.e., developers) of Rubin's system the flexibility not to limit only using SQL statements to manipulate data in a database, but it's also provide users of Rubin's system to use different methods to update data in the database based on their widely variant levels of database expertise execute sophisticated database queries.

As per claim 9, Rubin further teaches wherein said execution of said executable procedure re-computes a value of said data item using said updated computation formula and updates said data item in said database with said re-computed

value (Rubin col. 3, lines 25-35, col. 25, lines 8-25) and said executable procedure processes data external to data in said spreadsheet (Cahill, col. 1, lines 65-67, col. 2, lines 1-3).

Claim 10 has similar limitations as recited in claim 8. Consequently, claim 10 is rejected under the same rationale as stated in claim 9 arguments.

Claim 11 has similar limitations as recited in claim 1. Consequently, claim 11 is rejected under the same rationale as stated in claim 1 arguments.

Claim 12 has similar limitations as recited in claim 8. Consequently, claim 12 is rejected under the same rationale as stated in claim 8 arguments.

Claim 13 has similar limitations as recited in claim 10. Consequently, claim 13 is rejected under the same rationale as stated in claim 10 arguments.

Response to Arguments

Applicant's arguments with respect to claims 1-13 filed on 1/18/08 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that neither Rubin nor Sheffield fail to teach the amended "an executable procedure implementing a function exclusive of a function implemented by said spreadsheet". However, the new cited prior art issue to Cahill et al is relied upon for teaching the limitation as outlined in the above rejection.

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M. LE whose telephone number is (571)272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DEBBIE M LE/

Primary Examiner, Art Unit 2168

March 24, 2008